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AT SEATTLE
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05-CR-00417-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)

Plaintiff,

v.

LISA CHRISTINE LUERA,

Defendant.)

CASE NO. CR05-417 RSM

DETENTION ORDER

Offense charged:

Count 1: Conspiracy to Distribute Marijuana, in violation of Title 21, U.S.C.,
Sections 841(a)(1), 841(b)(1)(A), and 846;

Count 2: Conspiracy to Distribute Cocaine, in violation of Title 21, U.S.C.,
Sections 841(a)(1), 841(b)(1)(A) and 846.

Date of Detention Hearing: November 29, 2005.

The Court, having conducted a contested detention hearing pursuant to Title 18
U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention
hereafter set forth, finds that no condition or combination of conditions which the defendant
can meet will reasonably assure the appearance of the defendant as required and the safety
of any other person and the community. The Government was represented by Lisca

DETENTION ORDER
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1 Borichewski. The defendant was represented by Tim McGarry.

2 The Government filed a motion for detention, presenting argument why defendant
3 should remain in custody. Defense counsel argued for release with conditions.

4 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

5 (1) There is probable cause to believe the defendant committed the drug
6 offense. The maximum penalty is in excess of ten years. There is
7 therefore a rebuttable presumption against the defendant's release based
8 upon both dangerousness and flight risk, under Title 18 U.S.C. §
9 3142(e).

10 (2) Nothing in this record satisfactorily rebuts the presumption against
11 release for several reasons:

12 (a) The defendant has access to excessive amounts of cash because in
13 her home that she shares with her live-in boyfriend, herein a co-
14 defendant, over \$90, 000 was found that appears tied to be illegal
15 proceeds from illicit drug trafficking. He is currently unemployed
16 as was he. The wiretap authorized by the court had this defendant
17 on the wire making reference to these illicit drug transactions. At
18 the time of her arrest officers observed her agree with the co-
19 defendant to dispose of the proceeds upon her release.

20 (b) The Pre-trial services report reflects a high frequency of recent
21 international travel, reportedly without a passport.

22 (c) Due to the nature of the instant offence there is risk of danger to
23 the community.

24 (3) Based upon the foregoing information, it appears that there is no
25 condition or combination of conditions that would reasonably assure
26 future Court appearances and/or the safety of other persons or the

community.

It is therefore ORDERED:

- (1) The defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) The defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 2nd day of December, 2005.

/s/Monica J. Benton
MONICA J. BENTON
United States Magistrate Judge